

USSN: 09/666,928

Atty. Docket No.: 10188/2

Amdt. dated October 28, 2003

Reply to Office Action of July 28, 2003

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**Amendment to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims**

Claims 1-8 (Cancelled)

Claim 9 (Withdrawn): A method of packaging a frozen novelty, comprising:

- i) providing a frozen ice cream preparation,
- ii) enclosing the ice cream preparation in a heat-sealable white opaque multilayer plastic film, and
- iii) sealing the film to enclose the frozen ice cream preparation.

Claim 10 (Withdrawn): The method of claim 9 wherein the heat-sealable white opaque multilayer plastic film comprises:

- i) a cavitated core layer comprising polypropylene and having a first and a second surface;
- ii) a top tie layer comprising polypropylene and a whitening agent, said top tie layer positioned adjacent to said first surface of the core layer;
- iii) a top skin layer comprising polypropylene or a polyolefin terpolymer, an antiblock agent, said top skin layer positioned adjacent to said top tie layer;
- iv) a bottom tie layer comprising polypropylene, said bottom tie layer positioned adjacent to said second surface of the core layer; and
- v) a bottom skin layer comprising a polyolefin terpolymer, and one or more antiblock agents or antiblock slip agents, said bottom skin positioned adjacent to said bottom tie layer.

Claims 11 and 12 (Canceled)

Claim 13 (Previously Amended): A heat-sealable multilayer white opaque plastic film, comprising:

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i) a cavitated core layer comprising polypropylene homopolymer of high stereo-regularity and a cavitating agent comprising polybutylene terephthalate, said core layer having a first and a second surface;

ii) a top tie layer comprising polypropylene and TiO<sub>2</sub>, said top tie layer being positioned adjacent to said first surface of the core layer;

iii) a top skin layer comprising polypropylene, SiO<sub>2</sub> and methyl acrylate antiblock agent; said top skin layer being positioned adjacent to said top tie layer;

iv) a bottom tie layer comprising polypropylene, said bottom tie layer being positioned adjacent to said second surface of the core layer; and

v) a bottom skin layer comprising an ethylene-propylene-butylene terpolymer having a DSC (differential scanning calorimetry) melting point of about 122.5°C, further comprises SiO<sub>2</sub>, silicone oil antiblock, and crosslinked silicone slip agent; said bottom skin layer being positioned adjacent to said bottom tie layer; and

wherein the film does not exhibit creep in a Hayssen Vertical Fill, Form and Seal (VFFS) hot tack test at 280-310°F.

Claim 14 (Currently Amended): The film according to claim 13, wherein:

i) the SiO<sub>2</sub> and methyl acrylate antiblock agent of the top skin layer comprises from about 0.1% by weight to about 0.5% by weight SiO<sub>2</sub> and from about 0.1% by weight to about 0.5% by weight of methyl acrylate;

ii) the top tie layer comprises up to 10% by weight TiO<sub>2</sub>; and

iii) the core layer comprises from about 7% by weight to about 9% by weight polybutylene terephthalate.

Claim 15 (Currently Amended): The film according to claim 14, wherein:

i) the top skin layer comprises from about 0.15% by weight to about 0.3% by weight SiO<sub>2</sub> in the form of coated silica and from about 0.15% by weight to about 0.25% by weight methyl acrylate;

ii) the core layer comprises about 8% by weight polybutylene terephthalate; and

ii) the bottom skin layer comprises an ethylene-propylene-butylene terpolymer and

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further comprises from about 0.6% by weight to about 2.4% by weight silicone oil antiblock, and from about 0.15% by weight to about 0.3% by weight crosslinked silicone slip agent.

Claim 16 (Previously Added): The film according to claim 13, wherein the total thickness of the film is about 1mil and

- i) the top skin layer comprises about 2.5% of the total film thickness;
- ii) the top tie layer comprises about 15% of the total film thickness;
- iii) the core layer comprises about 63% of the total film thickness;
- iv) the bottom tie layer comprises about 15% of the total film thickness; and  
the bottom skin layer comprises about 4% of the total film thickness.

Claim 17 (Previously Amended): A heat-sealable multilayer white opaque plastic film, comprising:

- i) a cavitated core layer comprising polypropylene homopolymer of high stereo-regularity; a cavitating agent comprising polybutylene terephthalate, said core layer having a first and a second surface;
- ii) a top tie layer comprising polypropylene and TiO<sub>2</sub>, said top tie layer being positioned adjacent to said first surface of the core layer;
- iii) a top skin layer comprising an ethylene-propylene-butylene terpolymer, SiO<sub>2</sub> and methyl acrylate antiblock agent, said top skin layer being positioned adjacent to said top tie layer;
- iv) a bottom tie layer comprising polypropylene, said bottom tie layer being positioned adjacent to said second surface of the core layer; and
- v) a bottom skin layer comprising an ethylene-propylene-butylene terpolymer having a DSC (differential scanning calorimetry) melting point of about 122.5°C and further comprises silicone oil antiblock, and crosslinked silicone slip agent; said bottom skin layer being positioned adjacent to said bottom tie layer; and

wherein the film does not exhibit creep in a Hayssen Vertical Fill, Form and Seal (VFFS) hot tack test at 280-310°F.

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Claim 18 (Currently Amended): The film according to claim 17, wherein:

- i) the SiO<sub>2</sub> and methyl acrylate antiblock agent of the top skin layer comprises from about 0.1% by weight to about 0.5% by weight SiO<sub>2</sub> and from about 0.1% by weight to about 0.5% by weight of methyl acrylate;
- ii) the top tie layer comprises up to 10% by weight TiO<sub>2</sub>; and
- iii) the core layer comprises from about 7% by weight to about 9% by weight polybutylene terephthalate.

Claim 19 (Currently Amended): The film according to claim 18, wherein:

- i) the top skin layer comprises ethylene-propylene-butylene-terpolymer and further comprises from about 0.15% by weight to about 0.3% by weight SiO<sub>2</sub> in the form of coated silica, and from about 0.15% by weight to about 0.25% by weight methyl acrylate antiblock agent;
- ii) the core layer comprises from about 7% by weight to about 9% by weight polybutylene terephthalate, from about 500ppm to about 700ppm phosphite antioxidant, and from about 200ppm to about 400ppm fluoropolymer anti-condensing agent; and
- iii) the bottom skin layer comprises ethylene-propylene-butylene terpolymer and further comprises from about 0.6% by weight to about 2.4% by weight silicone oil antiblock, and from about 0.15% by weight to about 0.3% by weight crosslinked silicone slip agent.

Claim 20 (Previously Added): The film according to claim 17, wherein the total thickness of the film is about 1mil and

- i) the top skin layer comprises about 2.5% of the total film thickness;
- ii) the top tie layer comprises about 15% of the total film thickness;
- iii) the core layer comprises about 63% of the total film thickness;
- iv) the bottom tie layer comprises about 15% of the total film thickness; and
- v) the bottom skin layer comprises about 4% of the total film thickness.